

Exhibit 78

AMENDED TRANSCRIPT

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 Before The Honorable Vince Chhabria, Judge
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5 IN RE: FACEBOOK, INC.,) No. 18MD02843-VC
6 CONSUMER PRIVACY USER)
7 PROFILE LITIGATION,)
8

San Francisco, California
Thursday, February 10, 2022

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10 TRANSCRIPT OF PROCEEDINGS OF THE OFFICIAL ELECTRONIC SOUND
11 RECORDING 4:23 - 5:01 = 38 MINUTES

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1 Plaintiffs. Facebook has been fighting to take the
2 depositions of named Plaintiffs, and then all of a sudden
3 announced that it is not ready to take depositions of named
4 Plaintiff, because it doesn't have certain information that
5 it needs. And I was looking at Facebook's brief that it
6 filed, I guess it looks like maybe today or maybe last
7 night, and here is the first reason that Facebook gives for
8 calling off the depositions. It says, "The Plaintiffs have
9 not provided basic information regarding their claims." And
10 the first thing they say is, "Plaintiffs have not identified
11 what information they believe Facebook shared without
12 consent." So it sounds like what Facebook is saying is,
13 until you identify what information you believe we shared
14 without your consent, we're not going to take your
15 deposition. That is preposterous and you are going to take
16 their depositions now, or you are going to forego -- you're
17 going to waive the right to take their depositions at all.
18 And I don't know if the Plaintiffs incurred any fees and
19 costs associated with setting up these depositions that
20 Facebook has now announced that it's not ready to take, but
21 if so, that strikes me as probably sanctionable, as well.

22 So let me ask the Plaintiffs, you know, obviously there
23 are other issues that maybe aren't ripe for a motion for
24 sanctions yet. You may not be ready because you're still
25 kind of meeting and conferring on something, or whatever.